IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.155 OF 2006

Rajkumar Amarnath Gupta ...Petitioner.

V/s.

The State of Maharashtra ...Respondent.

Shri R.M.Mishra, adv. for the Petitioner.
Shri A.S.Shitole, A.P.P. for the State.

CORAM: R.S.Mohite, J.
DATE : 24th January, 2006.

P.C.:

1. This is petition seeking to quash and set aside the order dated 13.01.2006 passed by the Additional Sessions Judge, Bombay by invoking his power under section 319 of the Cr.P.C. impleading the Petitioner as accused in Sessions Case no.411 of 2004. Matter was heard for sometime. I am not inclined to entertain the matter on merits. Advocate for the Petitioner states that instead of attracting observations of this Court which may prejudice his defence, he should be allowed to withdraw his petition. Petition, is, therefore, allowed to be withdrawn. It is clarified that so far as question of bail is concerned, Petitioner will be entitled to apply for bail after evidence of P.W.2 is recorded. A.P.P. states that

evidence of P.W.2 will be recorded first in point of time. Statement is accepted.

(R.S.Mohite, J.)